



United States Army Garrison Bamberg

Summary Court Martial Officer (SCMO) GUIDE



Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.

Ronald Reagan

40th president of US (1911 - 2004)

INTRODUCTION

This guide is to familiarize you with your duties as a Summary Court-Martial Officer (SCMO) for the disposition of personal effects (PE).

The manner in which you perform your duties will directly affect the family of the deceased/missing soldier. If you are not diligent and pursue your responsibilities with a sense of urgency you will add to the family's pain and suffering. Do not take this duty or responsibility lightly.

The appointment of a SCMO for the disposition of PE of a deceased or missing soldier is required by Title 10 United States Code, section 4712. You have been appointed as the SCMO to dispose of the PE of (Name, rank, SSN and unit of deceased). (You are provided the Appointment Order assigning you as the SCMO).

Your duties, as prescribed by AR 638-2, Chapter 18, are to collect and safeguard PE, determine the Person Eligible to Receive Effects (PERE) and to deliver or ship the PE to the PERE. Your authority to collect the PE extends only to PE found in places under the Army's jurisdiction or control. You have no legal authority to secure property that is not under the Army's jurisdiction or control. This will be discussed in more detail in the subject of locating PE.

You are not required to pay and collect local debts of the deceased/missing soldier and should only do so in unusual circumstances. The law governing the disposition of PE does not confer upon you the authority to act as the legal representative of the estate or convey title of any PE collected. As such, you are not an executor or administrator of the estate and therefore not responsible for notifying debtors or creditors. Additional information is found in AR 638-2, chapter 18 and DA PAM 638-2, Chapter 16.

In the case of a deceased soldier, you have the authority to secure the PE removed from the remains by the Army's contract funeral home. The contract funeral home does not have the authority to release this PE to any other person or agency without the prior approval of this office. You will inventory this PE (using DA Form 54-R, Record of Personal Effects), secure, and make disposition of the PE.

On occasion the Person Authorized to Direct Disposition (PADD) may request that certain sentimental items or PE items (such as wedding bands, religious medals, lockets or jewelry) be placed on the remains for interment. You may comply with this request: if the PERE agrees, and the sentimental items are absolutely associated to the deceased soldier. You will release the items in sufficient time for the preparing mortuary to place the PE on the remains. If the remains depart the preparing mortuary before you can deliver the PE to the preparing mortuary, contact this CAC for instructions to ship the PE in time to be available for the viewing, funeral, interment or cremation of the remains.

If the soldier died in a Medical Treatment Facility (CTF), you will coordinate directly with medical personnel who have custody of the PE location at the MTF. You will request a copy of DA Form 4160, Patient's Personal Effects and Clothing Record, from the MTF patient administration to assist the PERE in locating sentimental items.

The prompt delivery or shipment of the deceased/missing soldier's PE is an important command function. A SCMO must be appointed quickly and must be provided with sufficient resources and time to discharge their duties in an expeditious manner. When PE are located at two or more locations, the commander with SCM convening authority for each location must appoint a SCMO to care for the PE. The SCMO appointed by the commander with SCM convening authority for the soldier's unit of assignment is the primary SCMO for all PE. Coordination with other SCMOs may be necessary during the discharge of your duty.

This duty requires the completion and submission of several documents and reports by you. These requirements are set forth in AR 638-2, Chapter 18 and DA PAM 638-2, Chapter 13 and on the attached List of Required Reports and Documents. Your SCMO Final Report is due to Casualty and Memorial Affairs Operations Center (CMAOC), Disposition Branch thirty days from the date of death. The local appointing authority before submission to CMAOC must review this report.

You must adhere to the PERE order of precedence established in the law and implemented by AR 638-2 in carrying out this duty. Do not allow your own sense of justice or fairness or your personal opinion about who should receive the soldier's PE to influence you as you perform this duty.

During the course of this duty, you are responsible to this CAC and CMAOC. If you need assistance at any time, contact this office at 469-8071, *Mortuary Affairs at 486-6312*, or contact CMAOC Disposition Branch at (703) 325-5322 (duty hours) or (703) 325-7990 (non-duty hours).

Personal Effects (PE)

Personal effects are defined as personal, movable property, such as items on the deceased (or missing) soldier, clothing, household goods (HHG), personal property generally located in living quarters, motor vehicles, mobile homes, cash, stock and bond certificates and other negotiable instruments.

Personal Effects do NOT include money on deposit with financial institutions; accounts invested with a brokerage agency; real estate; commercial business equipment; government property issued, loaned or leased to the deceased soldier; pets and other animals. See AR 638-2, Chapter 17, paragraph 4 a and b for a more complete listing.

Locating PE

If the deceased/missing soldier lived on-post, you have the authority to enter government owned housing to include family quarters, bachelor officer quarters, bachelor enlisted quarters, barracks, guest houses/lodges, or government contract housing off-post for the purpose of inventorying, safeguarding and shipping PE.

Since locations under this command are outside the U.S., the SCMO is authorized to secure PE located in privately owned or leased off-post housing. You do not have the authority to collect or secure PE located in privately owned or leased off-post housing. The PERE must provide a power of attorney authorizing you to enter off-post housing to arrange shipment of PE.

You should contact various agencies and organizations on-post to determine if there are any personal effects of the deceased/missing soldier located there. Places to contact to locate PE include, but are not limited to, the soldier's unit, especially the individual's work site and supply room; post (QM) laundry, post auto, craft, hobby shops; post bowling alley; *post gymnasium*; post transportation office for stored HHG; post stables, and any other locations where the soldier may have had personal effects housed or stored.

The existence of pets or other animals, such as horses, can present a challenge to you as the SCMO. For a full discussion of this matter, see DA PAM 638-2, Chapter 12, paragraph 15.

All personal property associated with the home and all PE belonging to the deceased/missing soldier are considered to be household goods (HHG). However, not all of the HHG may be the property of the deceased/missing soldier. Within a household you would normally find the husband's PE, the wife's PE, and the child's PE. You will need to determine which items of PE and HHG absolutely belonged to the deceased/missing soldier in order to deliver it to the PERE. For a full discussion of this matter, see DA PAM 638-2, Chapter 12, paragraph 5.

Determine the Person Eligible to Receive the Effects

As SCMO, you do not determine ownership of the deceased (or missing) soldier's PE. You will determine, however, who is the Person Eligible to Receive Effects (PERE). You will use the soldier's personnel records and the order of precedence found in AR 638-2, Chapter 19, paragraph 5, to determine who is the PERE. Problems, challenges, and unusual situations may require you to seek assistance from CMAOC, Disposition Branch (703-325-5322\7990) to help determine who is the PERE.

Government Property issued to the deceased/missing soldier

You will withdraw from the PE any organizational clothing and individual equipment (OCIE) and any other government property that had been issued to the soldier and turn it into supply channels. This also includes any installation recreation service supplies and equipment, and items belonging to Army Community Services Lending Closet and similar soldier/family support activities.

Personal military clothing of the soldier, except that required for burial, will be shipped to the PERE. Further guidance regarding clothing is found in DA PAM 638-2, Chapter 12, para 6.

Inventory forms

Outside theaters of conflict there are two forms that are used for the inventory of PE: DA Form 54-R, Record of Personal Effects; and DA Form 4160, Patient's Personal Effects and Clothing Record. The DD Form 1076 is used to inventory PE within theaters of conflict.

You must enter a detailed description of each item of PE on DA Form 54-R. For example, audio/video equipment must include brand name, model and serial number. Items of jewelry will be described to include the color of the metal (not the metal content), presence and color of stones, if any, and all inscriptions.

Important personal documents and papers, bank and credit cards, currency and negotiable instruments will be listed individually on the inventory sheet.

Classified and other sensitive government documents that were in the possession of the deceased/missing soldier will be returned to the appropriate unit or government security officer. Non-classified government documents and papers will be turned in to the soldier's duty supervisor.

You must use sound and careful judgment when withdrawing and destroying PE, to include documents and papers that could embarrass or cause added sorrow for the family of the soldier. Such items will not be listed on the inventory sheet. Rather you will list these items on a "Certificate of Destruction or Listing of Items Withdrawn." These certificates are attached to the SCMO report. The certificates are not forwarded with the inventory of PE sent to the PERE.

The DA Form 4160, Patient's Personal Effects and Clothing Record, is the inventory record for PE in the custody of military medical treatment facilities and activities. When the deceased soldier's PE is obtained from a military medical treatment facility, you will attach the DA Form 4160 to the DA Form 54-R. Do not transfer the list of items from the DA Form 4160 to the DA Form 54-R. If a DA Form 4160 was not prepared by the medical treatment facility, you will prepare a DA Form 54-R for the PE released to you by medical authorities.

Depending on the circumstances surrounding the death of the soldier, there may be PE in the custody of civil or military law enforcement agencies. You must obtain an inventory of these items from the law enforcement agency. Forward this inventory and the name, address, and telephone number of the law enforcement agency's property or evidence custodian.

Cash, coins, and checks found in the deceased (or missing) soldiers PE

These items must be safeguarded until they can be turned over to the PERE. When the total of US currency is \$20.00 or more, you will request from the local Finance and Accounting Office (FAA) a government check for the total amount made payable to the PERE.

Cleaning Soiled PE

You will insure that soiled clothing and other PE are cleaned or otherwise made presentable before delivery to the PERE. This includes clothing and items found on or with the remains, found in the unit's field site or the soldier's quarters. *Soiled PE may be cleaned free of charge by the Quarter Master laundry (IAW AR 210-130, para 2-2a (5)), Bamberg 469-7691.*

PE Disposition Methods

There are three proper methods for disposing of PE: (1) delivery to the PERE, (2) public sale, and (3) destruction. Once you have determined the PERE, secured, inventoried, and shipped the PE to the PERE, your responsibility ends.

If you determine that it is in the best interest of the PERE and the government, you may conduct a public sale of PE. Before you sell any PE, ensure you are complying with the specific criteria established in AR 638-2, chapter 20.

You are authorized to destroy PE of no sentimental or salable value or items that cannot be shipped because of transportation regulations. You must use discretion and common sense in deciding which items should be forwarded and which should be destroyed. Before you destroy any PE ensure you are complying with the specific criteria establish in AR 638-2, chapter 20.

Timelines

It is imperative that you perform your duties in a timely manner and in accordance with the regulation. You must ensure that your duties are completed before departing on pass or leave, attending a school, or training exercises. You must advise the Casualty Coordinating Officer, DHR/Adjutant's Office of any periods of absences or duties that will prevent you from completing your duties quickly. Be sure that you understand the reports and documents that are required as part of this duty and the timeline for their submission.

Conclusion

If you have any questions and concerns about your duties and responsibilities. Please contact the Directorate of Human Resources/Adjutant's Office at 469-8071/7713/7522.

SUMMARY COURT MARTIAL OFFICER CHECKLIST
(also see DA Form 7406, Summary Court Martial Officer Checklist)

Information:

- ___ Review SCMO duties as prescribed in AR 638-2, Ch.18.
- ___ Review list of required documents.
- ___ Provide SCMO with separate list of required documents and reports.
- ___ Provide Point of Contact at CAC.
- ___ Provide Point of Contact at Disposition Branch.
- ___ Provide SCMO with copy of AR 638-2, Chaps. 17, 18, 19, and 20.
- ___ Provide SCMO with copy of DA PAM 638-2, Chaps. 11 through 16.

Forms:

- ___ DA Form 54-R (Record of Personal Effects)
- ___ DA Form 4160 (Patient's Personal Effects and Clothing Record)
- ___ DD Form 1076 (Records of Personal Effects of Deceased Personnel—Within Theaters of Operations)
- ___ *DA Form 3645 (Turn In of Organizational Clothing and Equipment)*

Reports:

- ___ Review timeline for submission of required reports.

LIST OF REQUIRED REPORTS AND DOCUMENTS

Reports:

Interim Report: Submit if circumstances prevent submission of Final Report within the prescribed time (within 30 days of death or report of missing).

Final Report (*due 30 days after date of death unless extended by completion of interim report*)

Report of lost or stolen goods: Submit when the SCMO receives inquiries from the eligible recipient regarding lost or missing PE.

Investigation: Summary of the findings, together with the information, if applicable, that a claim for the loss of missing PE may be filed.

Submission of Findings: Copies of the complete report of all action taken in an effort to locate lost or stolen PE.

Required Documents:

The SCMO will attach to the original report the following documents, as applicable:

Appointing Order: Copy of order appointing the SCMO.

Transportation Order: Copy of order authorizing shipment of efforts to/from outside the United States.

Letters to recipient: Copies of letters to Person Eligible to Receive Effects (PERE: advising them of that status.)

Wills: Copy of any wills or testamentary letters found in the personal effects.

Sale of PE documents: copies of bills of sale for items sold and the authority for the sale (Power of Attorney, letters to eligible recipients etc.).

Bulletins: Copies of means used (such as daily bulletin) to determine the existence of local debtors and creditors.

Recipients: Copies of receipts signed by debtors or creditors for amounts of money, if any, collected and disbursed by the SCMO.

Letters to creditors: Copies of letters to creditors advising them of insufficient funds to cover debt and to communicate directly with PERE for settlement of accounts.

Letters to other interested parties: Copies of letters addressed to other interested parties to include the divorced parents of unmarried deceased soldier, if applicable.

Letters concerning non-shippable items: Copy of the letter advising the PERE of any items which cannot be shipped at government expense, with request that the PERE arrange to dispose of those effects, or submit a power of attorney authorizing the SCMO to sell the effects by public sale.

Shipment notification letter: Copies of letters advising PERE of the date the PE were shipped, the method of shipment, and the anticipated date of arrival.

Certificate of destruction or withdrawal: Certificates attesting to the destruction or withdrawal of any effects. This includes DA Form 3645 showing turn in of organizational clothing and equipment to supply channels.

Inventory of items held by civil or military authorities: Copies of receipts for items of effects still being held as evidence by military police, criminal investigators, or other authorities.

Inventory of items shipped: Copy of DA Form 54-R annotated, verifying contents of packages and attesting to the sealing of packages sent to the PERE by the SCMO.

4. _____ Copy of all effects sold, *DA Pam 638-2, Fig. 13-2*, and the authority for the sale, (i.e. power of attorney)
5. _____ Copy of letter to NOK advising them of the method of shipment, date of shipment, anticipated date of arrival, and name and telephone number the personal effects were shipped to, *DA Pam 638-2, Fig. 13-1*.
6. _____ Copy of bill of sale, power(s) of attorney, will(s), testamentary letter(s), and other documents, *DA Pam 638-2, Chapter 13, paragraph 4*.
7. _____ Copies of means used to determine existence of local debtors or creditors, *DA Pam 638-2, Chapter 16*. (local daily or weekly bulletins; 3 copies).
8. _____ Copy of receipts signed by debtors or creditors, *DA Pam 638-2, Chapter 16*.
9. _____ Copy of communication to NOK advising them of all known debts due/owed by the descendent, *DA Pam 638-2, Chapter 16*.
10. _____ Copy of communications to creditors advising them of insufficient funds to cover debt and to communicate with PERE for settlement of account, *DA Pam 638-2, Chapter 16*.
11. _____ Government bill of lading. TCMD, all shipping paperwork. Chapter 17-24, para 3-m.
12. _____ Other (Specify)

Mail Hard Copy of Final Report to:

Commander
USA MEM AFF ACTY EUR
ATTN: SGT LEIST, JENNIFER
LRMC CMR-402
APO AE 09180

E-mail: Jennifer.leist@hq.21tsc.army.mil
DSN: 486-6312
Fax: 486-7071

**DEPARTMENT OF THE ARMY
(YOUR LETTER HEAD)**

OFFICE SYMBOL

**NOK
ADDRESS**

Dear (Mr../Mrs._____)

When a soldier dies, a Summary Court Martial is appointed to secure the personal effects of the deceased soldier and ensure the delivery to the eligible recipient. I have been appointed this duty in regard to 2LT John K. Doe, SSN.

I have located keys that I am Federal Express mailing today. They will be sent to the Summary Court Martial, SGT _____, at Fort _____. These keys will hopefully allow SGT _____ to ship the car.

In the next week I will be mailing 2LT John K. Doe's effect to you. At this time I will send you a second letter with information regarding the method and date of shipment and an expected delivery date.

Delivery of these articles in itself does not necessarily vest title to you. They should be retained or disposed of under the laws of the State in which 2LT Doe was a legal resident.

My continued sympathy is extended to you during your time of bereavement.

Sincerely,

**Signature Block
Summary Court-Martial**

**EXAMPLE LETTER ONLY
SCO to NOK**



DIRECTORY



Casualty Assistance Within the Area of Responsibility of the USAG BAMBERG

Pertinent Telephone and FAX numbers

USAREUR CASUALTY

Telephone/FAX Number
DSN 379-7800
COMM 0620-280-7800
FAX 379-6654

U.S. CONSULATE FRANKFURT am MAIN

FEDERAL BENEFITS UNIT	069-7535-2400/2411
SPECIAL CONSULAR SERVICES	069-7535-2515
PASSPORT SECTION	069-7535-2301

U.S. CONSULATE MUENCHEN

SPECIAL CONSULAR SERVICES	089-2888-0
---------------------------	------------

DEFENSE FINANCE ACCOUNTING SYSTEM (DFAS)

DFAS	CUSTOMER SVC	001-216-522-6680
RETIRED PAY	CUSTOMER SVC FAX	001-800-469-6559
	CASUALTY ASST	001-216-522-6153 EXT

42361

	001-800-321-1080	
ANNUITANTS	CUSTOMER SVC	001-800-435-3396
SBP RECIPIENTS	FAX	001-800-982-8459
FOREIGN ANNUITANTS		001-303-676-6552
		DSN 312-926-8776

USAG BAMBERG - Directorate of Human Resources

Chief/Casualty Coordinating Officer/RSO

MR. SAMUELS	DSN 469-8071/7522
CASUALTY OPS - MRS. BAEUERLEIN	DSN 469-7713
CASUALTY OPS - MRS RANNETSPERGER-PULLI	DSN 469-8651

ARMY COMMUNITY SERVICES (ACS)

ARMY EMERGENCY RELIEF (AER) BLDG 7029

DSN 469-7777

DSN 469-7777

ID CARDS SECTION, 38TH PSB

BLDG 7290

DSN 469-7611

LEGAL ASSISTANCE OFFICER

SJA, LEGAL ASSISTANCE OFFICE, BLDG 7000

DSN 469-7609

DEPARTMENT OF VETERANS AFFAIRS (VA)

INFORMATION ON VA BENEFITS

1-800-827-1000

NATIONAL SERVICE LIFE INSURANCE

1-800-669-8477

SERVICEMEN'S GROUP LIFE INSURANCE

1-800-419-1473

VETERANS GROUP LIFE INSURANCE

1-800-419-1473

SOCIAL SECURITY ADMINISTRATION

EXPEDITED CLAIMS UNIT

866-777-7887

MORTUARY AFFAIRS OFFICE - LANDSTUHL

486-7031

SUMMARY COURT MARTIAL OFFICER CHECKLIST

For use of this form, see DA PAM 638-2; the proponent agency is ODCSPER

INITIAL BLOCKS WHEN COMPLETED

1. INFORMATION

	Provide SCMO appointment order
	Review authority
	Review jurisdiction
	Review limitations
	Review SCMO duties as prescribed in AR 638-2, Chapter 18
	Review submission of required documents and reports
	Provide point of contact at CAC
	Provide point of contact at Disposition Branch
	Provide SCMO with copy of AR 638-2, Chapters 17, 18, 19 and 20
	Provide SCMO with copy of DA PAM 638-2, Chapters 11 through 16

2. FORMS

	DA Form 54-R (<i>Record of Personal Effects</i>)
	DA Form 4160 (<i>Patient's Personal Effects and Clothing Record</i>)
	DD Form 1076 (<i>Military Operations Record of Personal Effects of Deceased Personnel</i>)

3. REPORTS

	Review timeline for submission of required reports.
--	---

4. OTHER

5a. SIGNATURE OF SCMO

5b. DATE (YYYYMMDD)

6a. SIGNATURE OF BRIEFER

6b. DATE (YYYYMMDD)

RECORD OF PERSONAL EFFECTS

For use of this form, see AR 638-2; the proponent agency is ODCSPER

1. LAST NAME, FIRST NAME, MIDDLE INITIAL		2. GRADE	3. SERVICE NUMBER/SSN	
4. ORGANIZATION				
5. STATUS <i>(Deceased, Missing, or Captured)</i>		6. DATE OF STATUS	7. PLACE	
8. INVENTORY OF EFFECTS		9. FUNDS/NEGOTIABLE INSTRUMENTS		
a. QUANTITY	b. ITEM	a. TRANSMITTED TO RECIPIENT		
		b. FUNDS DEPOSITED OR OTHERWISE DISPOSED OF		
		(1) AMOUNT AND DESCRIPTION	(2) DISPOSITION	
ATTACH SUPPLEMENTAL SHEET FOR ADDITIONAL ITEMS.				
10. EFFECTS SHIPPED TO:		11. DATE AND METHOD OF SHIPMENT <i>(B/L No., Registry No., etc.)</i>		
12. SUMMARY COURT OR COMMANDING OFFICER'S REPRESENTATIVE				
a. SIGNATURE		13. <i>I acknowledge receipt of all articles listed in Block 8 and all items recorded in Block 9a.</i>		
b. TYPED NAME AND GRADE		c. DATE	a. SIGNATURE OF RECIPIENT	
d. ORGANIZATION		b. PRINTED OR TYPED NAME OF RECIPIENT		c. DATE

PATIENT'S PERSONAL EFFECTS AND CLOTHING RECORD

For use of this form, see AR 40-400; the proponent agency is the Office of The Surgeon General.

PATIENT'S IDENTIFICATION <i>(For typed or written entries give: Name-last, first, middle initial; grade; social security number, register number medical facility or organization)</i>					HOSPITAL ITEMS RECEIVED BY PATIENT														
					COAT, PAJAMA					TOWELS, BATH									
					TROUSERS, PAJAMA					WASH CLOTH									
					CONVALESCENT SUIT					OTHER									
					ROBE, BATH														
					SLIPPERS														
					TOWELS, HAND					PATIENT'S INITIALS									
DATE					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
INITIALS OF CUSTODIAN																			
INITIALS OF PATIENT																			
ITEMS <i>(Male and Female)</i>					QUANTITY - PATIENT'S PERSONAL EFFECTS AND CLOTHING														
ANKLETS, WOMEN'S																			
BAGS, DUFFEL/BARRACKS																			
BATHROBE																			
BELT																			
BUCKLE																			
BLOUSE, SUMMER/WINTER																			
BOOTS, COMBAT																			
CAP, GARRISON																			
CAP, NURSES, WHITE																			
CAP, SERVICE																			
CAP, UTILITY																			
COAT, WOOL																			
DRAWERS, SUMMER/WINTER																			
DRESS, COTTON																			
GLOVES, PR. COTTON/LEATHER																			
GLOVES, INSERT																			
GLOVES, SHELL																			
HANDBAG, LEATHER																			
HANDKERCHIEFS																			
HAT, SERVICE																			
INSIGNIA, CAP/HAT																			
INSIGNIA, COLLAR, SHOULDER																			
JACKET, UTILITY																			
JACKET, FIELD																			
JACKET, WOOL																			
NECKTIE																			
NIGHTGOWNS																			
OVERCOAT																			
OVERSHOES/RUBBERS																			
PAJAMAS																			
PONCHO																			
PANTIES, WOMEN																			
RAINCOAT																			
SCARF																			
SHIRT																			
SHIRTWAIST, WOMEN																			

DA FORM 4160, 1 OCT 1973